

09/702,466
69,010-237



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Denen et al.
Serial No.: 09/702,466 Group Art Unit: 2837
Filed: 10/31/2000 Examiner: Leykin, R.
For: CONTROL AND MOTOR ARRANGEMENT FOR USE IN
MODEL TRAIN
Docket. No.: 69,010-237 Customer No.: 26127

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

REQUEST FOR CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.48(a)

Dear Madam:

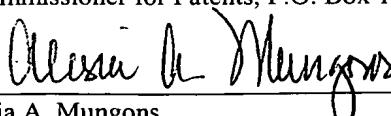
Applicants submit this Request for Correction of Inventorship pursuant to 37 C.F.R. § 1.48(a) in order to correct an error in the originally named inventorship of the above-identified application. Specifically, Applicants respectfully request that Martin Pierson and Robert Grubba be added as inventors of the subject matter claimed in this application.

Enclosed herewith are Statements of Martin Pierson and Robert Grubba in Support of Request for Correction of Inventorship Under 37 C.F.R. § 1.48(a) stating that the error in inventorship occurred without deceptive intention on their parts, a declaration executed by the actual inventors, and the written consent of the assignee, Lionel L.L.C., to the change in inventorship, all in compliance with 37 C.F.R. § 1.48(a)(2)-(3) and (5).

CERTIFICATE OF EXPRESS MAIL

Express Mail Label No. EU936173271US
Date of Deposit: January 9, 2004

I hereby certify that this *Request for Correction of Inventorship Under 37 C.F.R. § 1.48(a)* is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.


Alesia A. Mungons

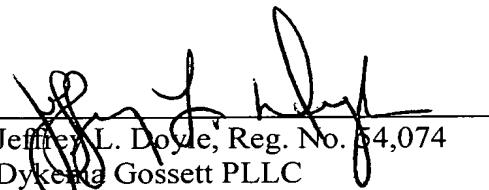
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The Commissioner is hereby authorized to charge the \$130.00 fee presently due in connection with this Request under 37 C.F.R. § 1.17(i) in compliance with 37 C.F.R. § 1.48(4), to Deposit Account No. 04-2223. The Commissioner is further authorized to charge any deficiency, or credit any overpayment, to Deposit Account 04-2223. A duplicate copy of this Request is enclosed.

Respectfully submitted,

Date: January 9, 2004

By: 
Jeffrey L. Doyle, Reg. No. 54,074
Dykema Gossett PLLC
Customer No. 26127
39577 Woodward Avenue, Suite 300
Bloomfield Hills, Michigan 48304
(248) 203-0782
jdoyle@dykema.com

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Att. Docket No. 69,010-237
Serial No. 09/702,466

JAN 09 2004

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In re application of: Denen et al.

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Atty. Dkt. No. 69,010-237

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Alexandria, VA 22313-1450

**STATEMENT OF ROBERT GRUBBA IN SUPPORT OF REQUEST FOR
CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.48(a)**

Dear Madam:

I, the undersigned, do hereby state that the error in inventorship (i.e., the failure to identify the undersigned as an inventor of the above-captioned application) occurred without deceptive intention on my part.

Date: 12-3-03



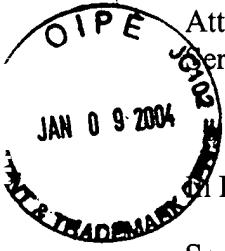
Robert Grubba

Certificate of Express Mailing

I hereby certify that this Statement of Robert Grubba in Support of Request for Correction of Inventorship Under 37 C.F.R. §1.48(a) is being deposited with the United States Postal Service as Express Mail No. EU936173271US, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on this 9th day of January, 2004.



Alesia A. Mungons



Atty. Docket No. 69,010-237
Serial No. 09/702,466

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT OF MARTIN PIERSON IN SUPPORT OF REQUEST FOR
CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.48(a)**

Dear Madam:

I, the undersigned, do hereby state that the error in inventorship (i.e., the failure to identify the undersigned as an inventor of the above-captioned application) occurred without deceptive intention on my part.

Date: 12/11/03


Martin Pierson

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JAN 15 2004
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Certificate of Express Mailing

I hereby certify that this Statement of Martin Pierson in Support of Request for Correction of Inventorship Under 37 C.F.R. §1.48(a) is being deposited with the United States Postal Service as Express Mail No. EU936173271US, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on this 9th day of January, 2004.


Alesia A. Mungons

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**WRITTEN CONSENT OF ASSIGNEE IN SUPPORT OF REQUEST FOR
CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.48(a)**

Dear Madam:

Lionel L.L.C., as assignee of record of the above-identified application by virtue of an assignment filed on June 11, 2003, a copy of which is attached hereto under Exhibit A, from the original named inventors Dennis Denen, Neil Young and Gary Moreau, hereby declares its consent to the requested correction of inventorship adding Martin Pierson and Robert Grubba as inventors.

Date: 12-17-03



Scott Turkington
Chief Financial Officer

Certificate of Express Mailing

I hereby certify that this Written Consent of Assignee in Support of Request for Correction of Inventorship Under 37 C.F.R. §1.48(a) is being deposited with the United States Postal Service as Express Mail No. EU936173271US, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on this 29th day of January, 20 04.



Alesia A. Mungons

COPY

64757-230

ASSIGNMENT
(Joint Inventors)

WHEREAS, We, Dennis Joseph Denen, Neil P. Young, and Gary Louis Moreau (hereinafter referred to as Assignors), residing at 1167 Oak Bluff Court, Westerville, OH 43081, 3240 Bear Gulch Road, Redwood City, CA 94062, and 929 Loggers Circle, Rochester, MI 48307, have invented new and useful improvements in:

CONTROL AND MOTOR ARRANGEMENT FOR USE IN MODEL TRAIN

which is set forth in an application for Letters Patent in the United States executed on even date herewith;

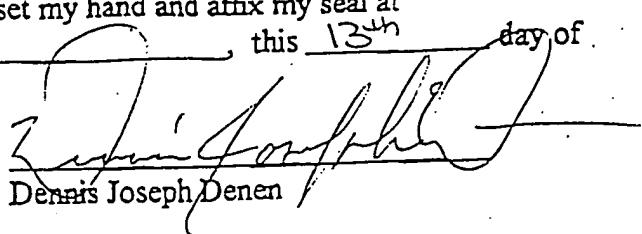
AND WHEREAS, Lionel, LLC, (hereinafter referred to as Assignee), of 50625 Richard W. Blvd., Chesterfield, Michigan 48051, is desirous of acquiring the entire right, title and interest in and to said invention and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, be it known by all whom it may concern, that for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the Assignors have assigned, sold and set over, and by these present assigns, sells and sets over unto the Assignee, its successors, legal representatives and assigns, for the territory of the United States of America and all foreign countries, the entire right, title and interest in and to said invention, said application for Letters Patent, including the right to file foreign patent applications corresponding to said application, and the right to claim the priority date of said United States patent application and any legal equivalents thereof, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and to any and all divisions, continuations, and continuations-in-part of said application, or re-issues or extensions of said Letters Patent or Patents prepared and executed by Assignors on even date herewith, the same to be held and enjoyed by the Assignee, as fully and entirely as the same would have been held by the Assignor had this Assignment and sale not been made.

AND the Assignors hereby covenant and agree that the Assignors will at any time upon the request and at the expense of the Assignee execute and deliver any and all papers and do all lawful acts that may be necessary or desirable to perfect the title to said invention and to obtain Letters Patent therefor, and the Assignor hereby authorize and requests the Commissioner of Patents to issue said Letters Patent to the Assignee in accordance with this Agreement.

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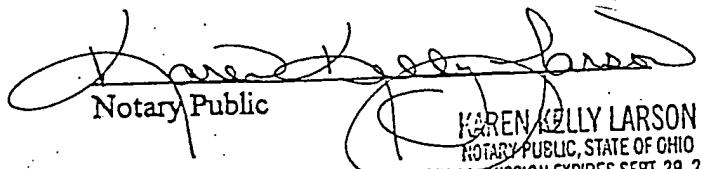
IN TESTIMONY WHEREOF, I hereunto set my hand and affix my seal at
Fitch, Inc., in the State of Ohio this 13th day of
November, 1998.


Dennis Joseph Denen

STATE OF Ohio)
)
COUNTY OF Franklin)

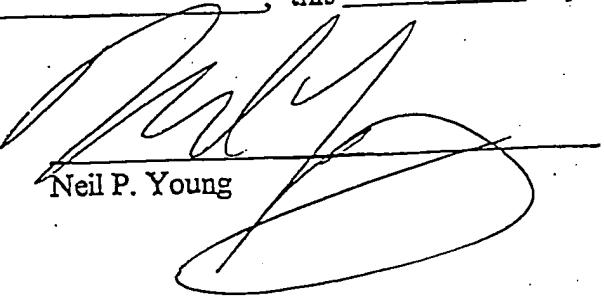
Before me personally appeared said Dennis Joseph Denen, and acknowledged the foregoing instrument to be his own free act and deed, this 13 day of November, 1998.

SEAL


Notary Public

KAREN KELLY LARSON
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES SEPT. 29, 2003

IN TESTIMONY WHEREOF, I hereunto set my hand and affix my seal at
_____, in the State of _____; this _____ day of
_____, 1998.

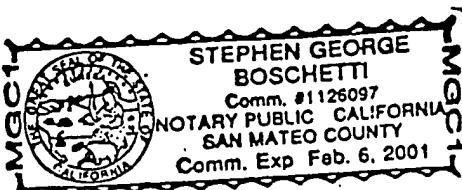

Neil P. Young

STATE OF CALIFORNIA)
)
COUNTY OF SAN MATEO)

Before me personally appeared said Neil P. Young, and acknowledged the foregoing instrument to be his own free act and deed, this 30 day of November 1998, 1998.

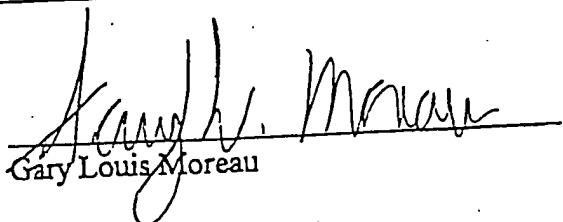

Stephen George Boschetti
Notary Public

SEAL



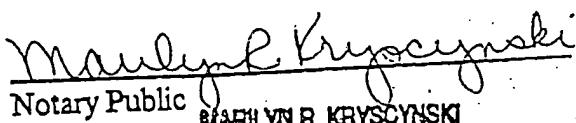
64757-230

IN TESTIMONY WHEREOF, I hereunto set my hand and affix my seal at _____, in the State of _____, this _____ day of _____, 1998.


Gary Louis Moreau

STATE OF Michigan)
COUNTY OF Macomb)

Before me personally appeared said _____, and acknowledged the foregoing instrument to be his own free act and deed, this 4th day of November, 1998.


Marilyn R. Kryscynski
Notary Public

MARYLYN R. KRYSCYNSKI
Notary Public, Macomb County, MI
My Commission Expires June 26, 1999

SEAL

Please address all correspondence and telephone calls and, upon recordation, please return this document to:

Michael B. Stewart, Esq.
RADER, FISHMAN & GRAUER PLLC
1533 N. Woodward Avenue, Suite 140
Bloomfield Hills, Michigan 48304
(248) 594-0600

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